

1 THOMAS A. ERICSSON, ESQ.
Nevada Bar No. 4982
2 Oronoz & Ericsson, LLC
1050 Indigo Drive, Suite 120
3 Las Vegas, Nevada 89145
Telephone: (702) 878-2889
4 Facsimile: (702) 522-1542
tom@oronozlawyers.com
5 Attorney for David Harris

6
7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,
10
11 Plaintiff,
12 vs.
13 DAVID HARRIS,
14 Defendant.

CASE NO.: 2:07-cr-295-KJD-GWF-1

**STIPULATION TO CONTINUE
REVOCATION HEARING**

(SECOND REQUEST)

15 IT IS HEREBY STIPULATED AND AGREED, by Defendant David Harris, by and
16 through his attorney, Thomas A. Ericsson, Esq., and the United States of America, by and
17 through Robert Knief, Assistant United States Attorney, that the revocation hearing currently
18 scheduled for July 31, 2018, at the hour of 9:00 a.m., be vacated and continued for at least
19 sixty (60) days, until after the trial date on September 10, 2018, in United States v. Harris,
20 2:18-cr-092-RFB-PAL, to a date and time that is convenient to this Honorable Court.

21 The request for a continuance is based upon the following:

- 22 1. The Defendant, David Harris, is scheduled to proceed to trial on September 10, 2018,
23 in United States v. Harris, 2:18-cr-092-RFB-PAL. The parties stipulate and agree that
24 the revocation hearing in the instant case should be continued to a date after the trial in
Mr. Harris' new case.
- 25 2. Counsel for Mr. Harris and the Government jointly request that the revocation hearing
26 date be continued for at least 60 days.
- 27 3. Mr. Harris is currently in custody and has no objection to the continuance.
- 28

- 1 4. The additional time requested by this Stipulation to Continue Revocation Hearing is
2 reasonable pursuant to Fed.R.Crim.P. Rule 32(b)(2), which states that the “court may,
3 for good cause, change any time limits prescribed in this rule.”
- 4 5. The additional time requested herein is not sought for the purposes of undue delay.
- 5 6. Additionally, denial of this request for a continuance could result in a miscarriage of
6 justice.

7 DATED: July 27, 2018

8 Respectfully submitted,

9 /s/ Thomas A. Ericsson
10 Thomas A. Ericsson, Esq.
11 Oronoz & Ericsson, LLC
12 1050 Indigo Dr., Suite 120
Las Vegas, Nevada 89145
Attorney for Defendant Harris

/s/ Robert Knief
Robert Knief
Assistant United States Attorney
District of Nevada
501 Las Vegas Blvd. South, Suite 1100
Las Vegas, Nevada, 89101
Attorney for the United States of America

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**FINDINGS OF FACT, CONCLUSIONS
OF LAW, AND ORDER**

15 **FINDINGS OF FACT**

16 Based on the pending Stipulation of counsel, and good cause appearing therefore, the
17 Court finds:

- 18 1. The Defendant, David Harris, is scheduled to proceed to trial on September 10, 2018,
19 in United States v. Harris, 2:18-cr-092-RFB-PAL. The parties stipulate and agree that
20 the revocation hearing in the instant case should be continued to a date after the trial in
Mr. Harris' new case.
- 21 2. Counsel for Mr. Harris and the Government jointly request that the revocation hearing
22 date be continued for at least 60 days.
- 23 3. Mr. Harris is currently in custody and has no objection to the continuance.
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- 27 6. Additionally, denial of this request for a continuance could result in a miscarriage of
28 justice.

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ORDER

DATED AND DONE this 30th day of July, 2018.

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